

**Directions/Minute of the Commissioner #6
SUB21/47803**

**Application for Robe and Roche Investments
56 Pohutukawa Place, Bell Block**

1. I adjourned the hearing at **12.53pm on Tuesday 15 April 2025** and issued a minute (#5) setting out the timetabling for expert planning witness conferencing as to conditions, the opportunity for the submitters who were heard to comment on the conditions and for the Applicant's right of reply.
2. On 29 April 2025 I received a memorandum (attached) from all the expert planning witnesses involved, seeking an extension to the timeframe for filing the Joint Witness Statement to Friday 9 May 2025, along with reasons for the request and a summary of progress made to date. More specifically the memorandum states that, "*... the Applicant is seeking to lodge amended details and plans in terms of the subdivision staging approach.*"¹.
3. As I advised at the hearing, having a combined suite of conditions that is up to date as to the proposal and properly formulated for consideration in my deliberations would be advantageous. An extension of timeframes would provide for that and I find there would be no prejudice to any party. That said, the amended details and plans in terms of the subdivision staging, do raise a concern. To address that matter, the planning experts are to include in any JWS filed, a section separate from the proposed conditions as to the details and plans of the staging of the subdivision and how that is different or not, from the proposal at the adjournment of the hearing. In doing so, all the parties can clearly see the scope of the changes, if any, and have the opportunity to comment if they wish.
4. Accordingly, the timetabling in Minute #5 dated 15 April 2025 is put aside. The revised timetable is as follows:
5. The expert planning witnesses are to conference and prepare a Joint Witness Statement (JWS) as to a proposed set of conditions addressing the matters raised at the hearing. The resulting JWS is to be sent to Julie Straka (julie.straka@npdc.govt.nz), Manager Governance at NPDC, by way of email no later than **3pm on Friday 9 May 2025**.
6. The Commissioner requests that as soon as practicable following receipt of any such JWS, NPDC provides a copy to all other parties to the hearing by way of email with a link to the Council's website.
7. Any submitters from the hearing then have the opportunity to comment of the proposed conditions set out in the JWS as referenced in Para 5 above. Any comments on the proposed conditions are to be sent to Julie Straka (julie.straka@npdc.govt.nz), Manager Governance at NPDC, by way of email no later than **3pm on Friday 16 May 2025**.

¹ Memorandum from Expert Planning Witnesses, dated 25 April 2025, Para 1.1

8. The Commissioner requests that as soon as practicable following receipt of any such comments, NPDC provides a copy to all other parties to the hearing by way of email with a link to the Council's website.
9. The Applicant is then to provide their Reply Statement to Julie Straka (julie.straka@npdc.govt.nz), Manager Governance at NPDC, by way of email no later than **3pm on Friday 23 May 2025**.
10. The Commissioner requests that as soon as practicable following receipt of any such reply statement, NPDC provides a copy to all other parties to the hearing by way of email with a link to the Council's website.
11. Following the receipt of the Reply Statement and on confirming I have all the information I require, I will close the hearing by way of a minute. As explained at the hearing, I will then proceed to deliberations and the preparation of the decision.
12. Any correspondence to the Commissioner should be directed through Julie Straka, Manager Governance (julie.straka@npdc.govt.nz).



Mark St.Clair
Independent Commissioner - Chair
Date: 30 April 2025

BEFORE COMMISSIONER MARK ST. CLAIR APPOINTED BY NEW PLYMOUTH DISTRICT COUNCIL

UNDER the Resource Management Act 1991 ("RMA")

IN THE MATTER of an application under section 88 of the Act by **ROBE AND ROCHE INVESTMENTS LIMITED** to the **NEW PLYMOUTH DISTRICT COUNCIL** for a subdivision to create 113 residential lots and additional road and recreational reserves at 56 Pohutukawa Place, Bell Block. (SUB21/47803)

REQUEST FOR EXTENSION OF TIME

PLANNING MATTERS AND CONSENT CONDITIONS

DATED: 29 April 2025

1. SUMMARY

1.1 Following the Commissioners minute dated 15 April 2025, the planners for the Applicant, NPDC and Puketapu Hapū are progressing an amended and agreed set of conditions. However, given the non-availability of technical members in the wider Applicant and Council teams, we have not been able to progress the conditions as much as we had anticipated. In addition, the Applicant is seeking to lodge amended details and plans in terms of the subdivision staging approach.

1.2 As such, it is respectfully requested that an additional week is provided for the provision of the conditions and planning JWS.

2. COMMISSIONER DIRECTION

2.1 In response to matters raised during the hearing and the need for additional time to work through the proposed conditions, Commissioner St Clair issued Minute #5 with the following timelines and deliverables

- Planning JWS and conditions – **3pm Friday 2 May**

- Submitters Response to JWS and Conditions - **3pm Friday 9 May**
- Applicants Right of Reply - **3pm Friday 16 May**

3. PROGRESS TO DATE

- 3.1 The planners have met twice and progressed;
- An initial framework for a set of amended subdivision condition,
 - Scope for land use conditions (earthworks), and
 - Discussion on staging requirements and plans.
- 3.2 The Applicant's team have also engaged further with their civil engineering team to discuss the nature of earthworks and staging and how the subdivision is likely to be developed.
- 3.3 There have been some availability issues with key technical staff from the Applicant and Council teams on leave over the Easter and ANZAC day holidays period (until 28 April 2025).

4. REQUEST FOR EXTENSION

- 4.1 The planners consider that an agreed set of conditions is more than likely to be achieved however it will not be possible now to complete this work by the original deadline of Friday 2 May. It is therefore respectfully requested that the Commissioner approves an amended timeline as follows:
- Planning JWS and conditions – **3pm Friday 9 May**
 - Submitters Response to JWS and Conditions - **3pm Friday 16 May**
 - Applicants Right of Reply - **3pm Friday 23 May**
- 4.2 If this request is granted, then it would be appropriate for the Commissioner to issue a new minute.
- 4.3 All planners support the extension of the timeline.



Ben Lawn
Planner for the Applicant



Kathryn Hooper
Planner for the Applicant



Sean Zieltjes
Planner and adviser to Te Kotahitanga o Te Atiawa Trust and Puketapu Hapū



Todd Whittaker
S.42A Planner for New Plymouth District Council.

29 April 2025